

## **REMARKS**

### ***Introduction***

Entry of this *Amendment & Response* is respectfully requested. It is believed that this *Amendment & Response* does not raise any new issues or require any new searching by the Examiner. Furthermore, it is believed that upon its entry, the application will be in condition for allowance or at least reduce the number of issues for appeal. Accordingly, entry of this *Amendment & Response* is respectfully requested.

Claims 1 and 6-18 are currently pending in this application, claims 2-5 being cancelled herein. Claims 1, 6-10 and 12-14 are amended herein, and claims 16-18 have been previously withdrawn. Of the claims, only claims 1 and 16 are independent.

### ***Allowable Subject Matter***

In the Office Action, the Examiner stated that claims 5-9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, independent claim 1 is amended to include the features of allowable claim 5 and intervening claims 2-4. Original claims 6-15 depend from amended claim 1.

No new matter has been added. The amendments to claim 1 have been made solely to expedite prosecution of the application and without prejudice to the Applicant's ability to file continuation applications. No other reason should be attributed to the claim amendments.

### ***Claim Objections***

Claims 1, 3-10 and 12-14 were objected to for various informalities. The claims have been amended herein in accordance with the Examiner's suggestions.

***Claim Rejections- 35 USC 112***

Claims 1-15 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. As noted above, claims 2-5 are cancelled herein. Claims 1, 6-10 and 12-14 are amended herein to more clearly define the invention.

At paragraph 6 of the Office Action, the Examiner has requested clarification of the claims. With reference to claim 1, lines 7-12, the “first data extraction part extracting data for drawing associated nerve pathways related to abnormal neural findings from the data stored in said first data recording part according to neural finding data inputted through said first input part” has been amended to read:

“...the first data extraction part configured for extracting, from the data stored in said first data recording part, data for drawing associated nerve pathways related to abnormal neural findings....”

See the clean version of the substitute specification at page 3, lines 7-9, which states that “the first data extraction part extracts data for drawing associated nerve pathways related to abnormal neural findings from data stored in the first data recording part...inputted through the first input part.” See also the specification at page 16, line 12, which indicates “the first data extraction part 3 extracts from the first data recording part 1, data of names....”

With reference to claim 1, lines 17-20, the “associated nerve pathway indication part drawing associated nerve pathways in the whole nerve pathway diagram displayed on said display based on the data extracted by said first data extraction part” has been amended to read:

“...associated nerve pathway indication part configured for drawing, based on the data extracted by said first data extraction part, associated nerve pathways....”

See the specification as page 17, lines 14-16, which states that the associated nerve pathway indication part 6 draws associated nerve pathways in the whole nerve pathway diagram *which is already displayed on the display.*

With reference to claim 1, lines 2-26, the “associated lesion estimation and indication part calculating a position of each of associated lesions and indicating the associated lesions in the whole nerve pathway diagram based on the associated nerve pathways drew on said display by said associated nerve pathway indication part” has been amended to read:

“...associated lesion estimation and indication part configured for calculating, based on the associated nerve pathways drawn on said display by said associated nerve pathway indication part, a position of each of associated lesions and indicating the associated lesions in the whole nerve pathway diagram...”

The associated lesion estimation and indication part calculates, then indicates in the whole nerve pathway diagram, the position of associated lesions, where the calculation and indication of the position are based on the associated nerve pathways drawn on the display. See the specification at page 18, second full paragraph.

With reference to claim 3, lines 6-9, the Examiner is requesting clarification of the first data extraction part. Claim 3 is cancelled herein. However, claim 1 is amended to include the features of claim 3. Claim 1 is amended to include the feature that:

“...the first data extraction part is configured to extract, for each of abnormal findings, from said first data recording part...”

Support for this amendment may be found in the specification at page 4, first full paragraph.

With reference to claim 4, lines 3-6, as indicated by the Examiner, the associated lesion estimation and indication part detects two regions, a first region where associated nerve

pathways displayed on the display intersect with each other, and a second region where associated nerve pathways approach each other at closest region. *See* the specification at page 4, second full paragraph.

*See* also, the specification at page 18, lines 10-16, which indicates the associated lesion estimation and indication part 7 is said to “detect a region where associated nerve pathways displayed on the display 4 intersect...and a region where associated nerve pathways approach each other....” This portion of the specification also states that “moreover, the associated lesion estimation and indication part 7 detects a region where associated nerve pathways...overlap...” This may indicate that the associated lesion estimation and indication part can detect at least three different regions.

Although claim 4 is cancelled herein, claim 1 is amended to include the features of claim 4. Claim 1 is amended to clarify that the “associated lesions” and the “associated lesion” refer to the same object.

With reference to claim 5, lines 5-8, the Examiner requested clarification of the “second input part for receiving input data of selection as to a cut surface of which region is to be indicated in the whole nerve pathway diagram displayed on said display.”

Claim 5 is cancelled herein. However, claim 1 is amended to include the features of claim 5. Claim 1 is amended to clarify that the “second input part for receiving input data of selection of which region of the whole nerve pathway diagram is to be indicated as a cut surface on said display....”

The second input part receives input of a selection of which region of the whole nerve pathway diagram is to be displayed as a cut surface on the display. *See* the specification at page 4, lines 15-17.

With reference to claim 5, lines 9-15, the Examiner requested clarification of the second data extraction part. Claim 5 is cancelled herein. However, claim 1 is amended to include the features of claim 5. Claim 1 is amended to clarify that the"

"...second data extraction part configured for extracting, from the data stored in said second data recording part, data for drawing associated nerve pathways related to abnormal neural finding in a cut surface of a specified region according to the data inputted through said second input part and the data inputted through said first input part...."

The second data extraction part extracts data for drawing associated nerve pathways, and the associated nerve pathways are related to abnormal neural findings, and the drawing occurs in a cut surface of a specified region. *See* the specification at page 5, second full paragraph.

Further in reference to claim 5, the drawing happens according to the data inputted through the first and second input parts, as discussed in the specification at page 19, second full paragraph.

With reference to claim 5, lines 25-30, the "second associated lesion estimation and indication part calculating a position of each of associated lesions in the associated cut surface based on the associated nerve pathways displayed on said display by said second associated nerve pathway indication part so as to display the associated lesions in the associated cut surface" has been amended to read:

"...second associated lesion estimation and indication part configured for calculating, based on the associated nerve pathways displayed on said display by said second associated nerve pathway indication part, a position of each of associated lesions in the associated cut surface...."

The second associated lesion estimation and indication part 1) calculates, then indicates in the associated cut surface, the position of associated lesion, where the calculation and indication of the position are based on the associated nerve pathways drawn on the display.

Also, the estimation and indication part calculates the position of associated lesion in order to display the lesions in the associated cut surface. *See* the specification at page 20, lines 14-18, which states that the “second associated lesion estimation and indication part 13 [calculates] a position of each of an associated lesions in cut surfaces on the basis of an associated nerve pathways [drawn] on the display 4 by the second associated nerve pathway indication part 11 so as to display the associated lesions in the cut surface.”

With reference to claim 6, lines 5-7, as indicated by the Examiner, the second data recording part contains data of nerve nuclei names, connections, curves, etc. and the data is for every cut surface.

Claim 6 is amended to clarify that “the data stored in said second data recording part contains, for all cut surfaces, data of names of nerve nuclei and positions thereof in the cut surface....” *See* the specification, at page 19, first full paragraph.

With reference to claim 7, lines 6-9, the Examiner requested clarification of the second data extraction part. Claim 7 is amended herein to clarify that the “second data extraction part extracting is configured to extract, for each of abnormal findings, from said second data recording part, data of names of associated nerve nuclei and positions thereof in the cut surface....” *See* the specification at page 19, line 21 to page 20, line 2.

With reference to claim 8, lines 3-8, as indicated by the Examiner, the second associated lesion estimation and indication part detects two regions, a first region where associated nerve pathways displayed on the display intersect with each other, and a second region where associated nerve pathways approach each other at closest region.

See the specification at page 20, lines 19-22, which indicates the second associated lesion estimation and indication part 13 is said to detect “a region where associated nerve pathways displayed on the display 4 intersect...and a region where associated nerve pathways approach each other....” This indicates that the second associated lesion estimation and indication part can detect two different regions.

With reference to claim 12, lines 10-13, the Examiner requested clarification of the first data extraction part. Claim 12 is amended to clarify that the “first data extraction part extracts is configured to extract, for each of abnormal findings, from said first data recording part data of names of associated spinal roots....”

The first data extraction part extracts, when a neural finding is an abnormal neural finding, names, positions, curves, etc., as discussed in the specification at page 17, first full paragraph.

With reference to claim 14, lines 5-7, the Examiner requested clarification of what is “related to data of normal findings.” The Examiner also stated that the remainder of the claim is incomprehensible. For clarification of the invention, claim 14 is amended to recite, in part:

“...a third associated lesion estimation and indication part configured for removing an associated nerve pathway part from the associated nerve pathways drawn by said associated lesion estimation and indication part in the whole nerve pathway diagram on the display when said first input part receives input data of neural finding of the muscles or the skin areas which are related to the associated nerve pathways, said associated nerve pathway part corresponding to nerve fascicles which connect a muscle or a skin area ~~which is related~~ relating to ~~data of normal findings....~~”

Support for the amendments may be found in the specification at page 7, line 19 to page 8, line 3, and at page 18, line 22 to page 19, line 7.

With reference to claim 15, the Examiner requested clarification of the findings with respect to muscle strength. The findings include muscle strength related to movement of joints, and further include perception disorder of skin areas. *See* the specification at page 24, last full paragraph, a decrease in muscle strength is observed and a perception disorder is observed.

It is respectfully submitted that the rejections under 35 U.S.C. § 112, second paragraph, be withdrawn.

*Claim Rejections - 35 USC 102 & 35 USC 103*

Claims 1-4 and 11-14 were rejected under 35 U.S.C. 102(b) as being anticipated by WO 93/17614 to Fardin. Claims 10 and 15 were rejected under 35 U.S.C. 103(a) as being obvious over Fardin.

As noted above, independent claim 1 is amended herein to include subject matter that the Examiner has indicated as allowable. Accordingly, amended claim 1 and claims 6-15 that depend therefrom, are also directed to allowable subject matter.

Accordingly, all of the currently pending claims are directed to subject matter that the Examiner indicated is allowable. As such, the 35 U.S.C. 102 & 103 rejections are moot. It is requested that the rejections under 35 U.S.C. 102 and 35 U.S.C. 103 be withdrawn.

*Conclusion*

It is respectfully submitted that a full and complete response to the Final Office Action has been made. The claims are believed to be in condition for allowance. Early and favorable action is respectfully requested. If the Examiner has any further questions or concerns, the Examiner is invited to contact the Applicant's undersigned attorney/agent.




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If any fees are occasioned by this *Amendment & Response*, the Director is hereby authorized to charge them to Deposit Account 08-2442 of the undersigned.

Respectfully submitted,  
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